

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

JOSLYNN TERRELL, Individually and as §
Representative of the Estate of JAMAAL R. §
VALENTINE, Deceased; ANGELA §
BUTLER, as next friend of JAMAAL §
VALENTINE and JA'LISHAI VALENTINE; §
and CRYSTAL TRUITT, as next friend of §
STEVEN MILES §

Plaintiffs, §

vs. §

CITY OF LA MARQUE, TEXAS; FORMER §
CHIEF RICHARD PRICE; RICHARD §
GARCIA; FORREST GANDY; MIKE §
KELEMAN; and TASER §
INTERNATIONAL, INC. §

Defendants. §

C.A. No. 3:11-cv-229

PARTIES' AGREED STIPULATION OF DISMISSAL OF ALL CLAIMS

TO THIS HONORABLE UNITED STATES DISTRICT COURT:

All Plaintiffs and Defendants Richard Garcia, Forest Gandy, Michael Kelemen and the City of LaMarque, Texas, come now pursuant to agreement of the Parties and Rule 41 of the Federal Rule of Civil Procedure and, contingent upon the Court's approval of the settlement agreement reached and filed under seal as *exhibit A* hereto, jointly file their agreed stipulation of dismissal of all claims asserted in this case.

CERTIFICATE OF CONFERENCE

1. All Parties have conferred and all stipulate to the requested dismissal with prejudice, provided the Court approves the proposed settlement filed by the parties.

STIPULATION

2. The Parties agree to stipulation of dismissal of all claims asserted in this case.

ARGUMENTS AND AUTHORITIES

3. The Plaintiffs no longer wish to pursue any claim against any Defendant. Therefore, all Parties to this litigation jointly move the Court to dismiss all claims asserted in this case, with prejudice, provided the Court approves the proposed settlement filed by the parties.
4. The Defendants have filed a responsive pleading to Plaintiffs' complaint and the Defendants agree to this dismissal.
5. This case is not a class action and a receiver has not been required nor appointed.
6. The Plaintiffs have not dismissed an action based on or including the same claim or claims against these Defendants as those presented in this suit.
7. This dismissal is agreed to be with prejudice.

PRAYER

FOR THE FOREGOING REASONS, the Parties pray that this Court dismiss all claims asserted in this suit, with prejudice, with Court costs and attorneys' fees being taxed against the party incurring same.

Respectfully Submitted,

By: /s/ J. Ryan Fowler

John D. Sloan, Jr.
J. Ryan Fowler
Sloan, Bagley, Hatcher & Perry Law Firm
440 Louisiana Street, 9th Floor
Houston, Texas 77002

ATTORNEYS FOR PLAINTIFFS

-and-

By: /s/ Norman Ray Giles
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OF COUNSEL:

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ATTORNEYS FOR DEFENDANTS
CITY OF LA MARQUE, TEXAS
RICHARD GARCIA
FOREST GANDY
MICHAEL KELEMEN

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been forwarded to the following counsel of record in accordance with the District's ECF service rules on this 1st day of February, 2013:

William S. Helfand
Norman Ray Giles
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/s/ Norman Ray Giles